



2614

**TRANSMITTAL LETTER
(General - Patent Pending)**Docket No.
112740-300

In Re Application Of: Gero Base et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/963,981	September 26, 2001	Michael R. Shannon	29177	2614	3320

Title: **RADIO TRANSMISSION OF DATA REPRESENTING TELEVISION PROGRAMS****COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

Transmittal Letter in duplicate; Response to Office Action on 2 pages; and return receipt postcard.

in the above identified application.

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Dated: February 3, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gero Baese
Appl. No.: 09/963,981
Conf. No.: 3320
Filed: September 26, 2001
Title: RADIO TRANSMISSION OF DATA REPRESENTING TELEVISION
PROGRAMS
Art Unit: 2614
Examiner: Michael R. Shannon
Docket No.: 112740-300

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action dated November 3, 2005, Applicant requests reconsideration of the presently-pending application for the reasons as set forth in the following Remarks/Arguments.

REMARKS/ARGUMENTS

Claims 1-14 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is earnestly requested.

Claim 1-7 and 9-14 were rejected under 35 U.S.C. §102(e) as being anticipated by *Koskelainen* (EP 1113669A2). Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Koskelainen* (EP 1113669A2). Applicant respectfully traverses these rejections.

Applicant notes that the publication date of *Koskelainen* is July 4, 2001, which is subsequent to Applicant's claimed priority to German Applications 10047608.2 and 10103291.9 which were filed on September 26, 2000 and January 25, 2001, respectively. Accordingly, *Koskelainen* cannot be considered prior art under 35 U.S.C. §102(e) (see MPEP 2136.06).

In light of the above, the Applicant respectfully submit that claims 1-14 of the present application are patentable over the art of record. Applicants respectfully request that a timely